

REMARKS

New Claim

Claim 19 is added with this response. Support for this added claim can be found, for example, on page 8, paragraph 2 (“The ozone gas-containing microbubbles contained in raw materials of the fish-paste product are not wholly ruptured but partially stimulated ...”) and page 10, paragraph 2 (“The microbubbles whose coating shells are not ruptured...”).

Claim Rejections – 35 USC § 112

The Examiner rejects claims 1-3, 5, 7, 9, 11, 13, 15, and 17 as being indefinite (it is taken that the recitation in the office action of claim 19 being rejected is a typographical error as there was no claim 19 prior to this response). The claims have been amended to clarify the claim scope and meaning.

Regarding claim 1 specifically, the claim has been amended to specify that the step is “*coating the interfaces of the ozone gas-containing microbubbles with tissues composed of raw materials of the fish-paste product*”... “*thereby creating coating shells composed of said tissues, said shells covering the ozone gas-containing microbubbles*”. Support for the amendment can be found, for example, on page 2, paragraph 3 of the Disclosure (“the tissues are protein and lipid contained in the fish-paste product”).

Regarding claim 17 specifically, the claim has been amended to remove the unclear language and replace it with “*giving stimulation to a part of the ozone gas-containing microbubbles also is repeated after processing and packaging the fish-paste product*”. Support for the amendment can be found, for example, on page 10, paragraph 5 (“The packaged fish-paste product is stimulated...”).

Regarding claim 2 specifically, the wording has been amended to clarify that the fish-paste is a “*germ-free anti-bacterial fish-paste product*.”

Regarding claim 7 specifically, the wording has been amended to clarify that “*the tissues include protein and lipid contained in the fish-paste product.*”

The claims as amended are definite in scope and meaning and can be readily understood by one skilled in the art. The Applicant respectfully requests that the rejections under §112 be withdrawn.

Claim Rejection – 35 USC § 103

In the Office Action, the Examiner rejects claims 1-3, 7, and 15 as being obvious over JP 56-121462 to Hoashi (hereafter “Hoashi”) in view of JP 07-236461 to Niimi (hereafter “Niimi”). The Examiner rejects claim 5 as being obvious over Hoashi in view of Niimi as above and in further view of JP 11-221007 to Ogata (hereafter “Ogata”). The Examiner rejects 11 and 17 as being obvious over Hoashi in view of Niimi as above and in further view of US 2002/0192340 to Swart (hereafter “Swart”). The Examiner rejects claims 13 and 15 as obvious over Hoashi in view of Niimi as above and in further view of US 4,622,228 to Ikeuchi (hereafter “Ikeuchi”). The Applicant respectfully disagrees.

With respect to the claims in general, the Applicant disagrees with the Examiner’s leap from the Prior Art (Niimi et al.) teaching that “microbubbles of ozone adhere to a solid in treated water easily” is equivalent to “*coating the interfaces of the ozone gas-containing microbubbles with tissues*” as recited in the claims. While the Prior Art does teach that the microbubbles adhere to the food, there is no teaching or suggestion of “*coating the interfaces of the ozone gas-containing microbubbles with tissues*” as recited in the claims. Nor is there any suggestion of “*creating coating shells composed of said tissues*”. A bubble adhering to a tissue does not automatically teach creating a coating around the bubble comprising said tissue. The specific creation of the coating over the microbubbles is only known through the present application.

Furthermore, regarding claims 11-15 specifically, the Examiner points to the use of high frequency irradiation (Swart), microwave irradiation (Ikeuchi), and heat (Hoachi) in the sterilization process. However, none of these documents teach “*giving stimulation to a part of the ozone gas-containing microbubbles thereby rupturing the coating shells of the ozone gas-*

containing microbubbles” wherein the stimulation is in the form of high frequency irradiation (claim 11), microwave irradiation (claim 13), or heat (claim 15). In the prior art documents, those forms of stimulation are provided for direct sterilization and are not conformed to specifically “*rupturing the coating shells of the ozone gas-containing microbubbles.*” The application of the stimulation may differ for the two different purposes, so the prior art documents cannot be said to teach the stimulation as recited in the claims.

The Applicant respectfully requests that the rejection of obviousness be withdrawn for all the claims.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

I hereby certify that this document is being transmitted to the Patent and Trademark Office via electronic filing.

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